

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

MB-680-C

Eisenberg Gold & Agrawal, P.C.

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Attorney for Mercedes-Benz Vehicle Trust successor
in interest to Daimler Trust



Order Filed on October 21, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No. 24-16085

In Re:

Adv. No.

ALAN HOUGHTON
CARRIE HOUGHTON

Hearing Date: 10-2-24

Judge: (CMG)

**ORDER FOR LEASE ASSUMPTION, ARREARAGE CURE, MONTHLY LEASE PAYMENTS, STAY
RELIEF UNDER CERTAIN CIRCUMSTANCES, INSURANCE, COUNSEL FEES, AND SELF-
EXECUTING STAY RELIEF AT LEASE END**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: October 21, 2024

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtors: Alan and Carrie Houghton

Case No: 24-16085

Caption of Order: Order for lease assumption, arrearage cure, monthly lease payments, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

This matter having brought before this Court on a Motion For Stay Relief filed by William E. Craig, Esq., attorney for Mercedes-Benz Vehicle Trust successor in interest to Daimler Trust (“Mercedes-Benz”), with the appearance of James J. Cerbone, Esq. on behalf of the Debtors, and this Order having been filed with the Court and served upon the Debtors and their attorney under the seven day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That Mercedes-Benz is the owner and lessor of a 2021 Mercedes-Benz GLC 300 bearing vehicle identification number W1N0G8EB3MV318264.**
- 2. That with the entry of this order the Debtors have assumed the lease.**
- 3. That the Debtors’ account has arrears through September 2024 in the amount of \$3,071.40.**
- 4. That the Debtors are to cure the arrears set forth in paragraph three (3) above as follows:**
 - a. The Debtors are to make a payment of \$1,500.00 directly to Mercedes-Benz by September 20, 2024 or Mercedes-Benz shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**
 - b. The Debtors are to make a payment of \$726.00 directly to Mercedes-Benz by September 26, 2024 or Mercedes-Benz shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**

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Debtors: Alan and Carrie Houghton

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- c. Following the payments set forth above, the Debtors are to cure the remaining arrears plus the October 2024 payment by October 30, 2024 or Mercedes-Benz shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**
- 5. That commencing November 2024, if the Debtors fail to make any payment to Mercedes-Benz within thirty (30) days after it falls due, Mercedes-Benz shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**
- 6. That the Debtors must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Mercedes-Benz must be listed as loss payee. If the Debtors fail to maintain valid insurance on the vehicle, Mercedes-Benz shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtors, their attorney, and the Chapter 13 Trustee.**
- 7. That at the end of the lease the Debtors must either surrender the vehicle or purchase it in accordance with the lease end purchase option. At lease-end, Mercedes-Benz shall be entitled to immediate stay relief in order to repossess (if necessary) and sell said vehicle without further application to the Court. The terms of this paragraph are deemed to be self-executing in nature.**
- 8. That the Debtors are to pay a counsel fee of \$449.00 to Mercedes-Benz through their Chapter 13 Plan.**

In re:
Alan Houghton
Carrie Houghton
Debtors

Case No. 24-16085-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin

Page 1 of 2

Date Rcvd: Oct 21, 2024

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 23, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ Alan Houghton, Carrie Houghton, 137 Richard Street, Brick, NJ 08724-3684

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 23, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 21, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor CARRINGTON MORTGAGE SERVICES LLC ajennings@hillwallack.com
Angela Catherine Pattison	on behalf of Creditor CARRINGTON MORTGAGE SERVICES LLC apattison@hillwallack.com, apattison@ecf.courtdrive.com
Denise E. Carlon	on behalf of Creditor DISCOVER BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
James J. Cerbone	on behalf of Debtor Alan Houghton cerbonelawfirm@aol.com cerbonejr83307@notify.bestcase.com
James J. Cerbone	

District/off: 0312-3

User: admin

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Date Rcvd: Oct 21, 2024

Form ID: pdf903

Total Noticed: 1

on behalf of Joint Debtor Carrie Houghton cerbonelawfirm@aol.com cerbonejr83307@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William E. Craig

on behalf of Creditor Mercedes-Benz Vehicle Trust successor in interest to Daimler Trust wcraig@egalawfirm.com
mortoncraige@cf@gmail.com;alapinski@egalawfirm.com

TOTAL: 8